

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

In re EAST AHM DEVELOPMENT,
LLC,

Debtor,

DAVID ALLEGRE and LINDA
ALLEGRE, et al.,

Plaintiffs,

v.

BrN ENGINEERING, INC., et al.,

Defendants.

NO: 1:15-CV-3087-RMP

ORDER OF DISMISSAL

On May 28, 2015, Plaintiffs filed a Notice of Appeal from Bankruptcy Court. *See* ECF No. 1. On July 20, 2015, the Clerk of Court for the Eastern District of Washington filed a Notice of Docketing directing the parties “to submit their briefs in accordance with FRBP 8009 as modified by Eastern District LR 83.5(b)(3).” *See* ECF No. 4. On March 2, 2016, the Court issued a Scheduling Conference Notice directing all parties to be present for a telephonic status conference on March 22, 2016, at 2:00 PM. *See* ECF No. 5. The Court held the

1 telephonic status conference as scheduled, and counsel for Plaintiffs, Dennis W.
2 Jordan, failed to appear.

3 On March 22, 2016, the Court issued an Order to Show Cause, ECF No. 9,
4 directing Plaintiffs' counsel to show cause, in a writing filed with the Court within
5 ten days of entry of that order, why this action should not be dismissed. Plaintiffs'
6 counsel was cautioned that failure to respond within that time period would result
7 in the Court entering of an Order of Dismissal. *See id.* However, Plaintiffs'
8 counsel failed to timely respond to the Court's Order, and, therefore, the Court
9 finds good cause to dismiss this case due to Plaintiff's failure to prosecute.

10 Accordingly, **IT IS HEREBY ORDERED:**

11 1. Plaintiff's appeal is **DISMISSED WITHOUT PREJUDICE.**

12 The District Court Clerk is directed to enter this Order, provide copies to
13 counsel, and **close this case.**

14 **DATED** this 12th day of April 2016.

15
16 s/ Rosanna Malouf Peterson
17 ROSANNA MALOUF PETERSON
18 United States District Judge
19
20
21